

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Terry Theodore Dawkins

Docket No. 5:15-CR-280-1D

Petition for Action on Supervised Release

COMES NOW Taron N. Seburn, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Terry Theodore Dawkins, who, upon an earlier plea of guilty to Felon in Possession of a Firearm, in violation of 18 U.S.C. § 922(g)(1) and Fugitive From Justice in Possession of a Firearm, in violation of 18 U.S.C. § 922(g)(2), was sentenced by the Honorable Richard F. Cebull, Chief U.S. District Judge (District of Montana), on February 3, 2011, to the custody of the Bureau of Prisons for a term of 68 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 3 years. Terry Theodore Dawkins was released from custody on September 23, 2015, at which time the term of supervised release commenced. On October 2, 2015, jurisdiction was transferred to the Eastern District of North Carolina.

On September 1, 2016, a Petition for Action was submitted after the defendant tested positive for marijuana on August 4, 2016. The defendant received a verbal reprimand, enrolled in substance abuse treatment at Second Chance Recovery Center, and was ordered to remain in the Surprise Urinalysis Program. The court continued supervision, and the defendant was required to participate in the DROPS program at the first use level.

On November 8, 2016, a DROPS Sanction Report to the Court was submitted after the defendant tested positive for marijuana on November 7, 2016. The court continued supervision, and the defendant was required to serve 2 days in the custody of the Bureau of Prisons.

On June 1, 2017, a Violation Report was submitted after the defendant was charged with the offenses of Misdemeanor Assault on a Child Under 12 and Misdemeanor Simple Assault (17CR51766) in Nash County, North Carolina. The defendant was arrested and held on outstanding orders for arrest stemming from an October 7, 2002, arrest for Resisting Public Officer (02CR53460) and Possession of Stolen Goods/Property (02CR53459). These cases were dismissed on May 25, 2017. The court agreed to continue supervision in anticipation of the defendant signing a waiver allowing for modification of the conditions of release to include anger management, and no future contact with the victims of the incident noted above. The defendant was released from the Nash County Jail on June 22, 2017.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS: As previously noted, the defendant was charged with the offenses of Misdemeanor Assault on a Child Under 12 and Misdemeanor Simple Assault (17CR51766) in Nash County, North Carolina. As a sanction for this violation, we are recommending that the defendant participate in a program of anger management treatment, as directed by the probation office. It is also recommended that the defendant have no contact with the victims in this case. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

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PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall participate in a program of anger management treatment, as directed by the probation office.
2. The defendant shall have no direct or indirect contact, at any time and for any reason, with the victim(s), Angela Martin and her children, the victim's family, or other affected parties in this matter unless provided with specific, written authorization in advance by the U.S. Probation Officer.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Dwayne K. Benfield
Dwayne K. Benfield
Supervising U.S. Probation Officer

/s/ Taron N. Seburn
Taron N. Seburn
U.S. Probation Officer
201 South Evans Street, Rm 214
Greenville, NC 27858-1137
Phone: 252-830-2335
Executed On: July 3, 2017

ORDER OF THE COURT

Considered and ordered this 6 day of July, 2017, and ordered filed and made a part of the records in the above case.

A. Dever